

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
January 4, 2000, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. Titus James, North Heights Christian Church
- Pledge of Allegiance
- Approve the minutes of the previous meeting

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AWARDS AND PRESENTATIONS

- Distinguished Service Citation
- Proclamations

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NEW BUSINESS

1. Fair Commerce/Internet Taxation Resolution.

The proposed Resolution urges the Advisory Commission on Electronic Commerce to recommend legislation authorizing state and local governments to require collection of legally due sales and use taxes on goods and services sold into the state.

RECOMMENDED ACTION: Adopt the Resolution.

2. One-Time Funding for Economic Development Marketing Materials.

The proposed funding allows the Chamber of Commerce to acquire economic development marketing materials and tools.

RECOMMENDED ACTION: Approve the funding.

3. Appointment to SouthCentral Municipal Energy Agency (MEA).

The Municipal Energy Agency (MEA) Bylaws specify that the Board of Directors shall, initially, consist of one individual representative and one alternate for each member city.

RECOMMENDED ACTION: Appointment member and alternate member to the Board.

4. Women's International Bowling Congress (WIBC) Contract.

An Agreement to reach a final contract covering requirements for the WIBC tournament is being proposed.

RECOMMENDED ACTION: Authorize Staff to negotiate final terms and conditions; and authorize the necessary signatures.

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CITY COUNCIL AGENDA

5. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

6. Proclamation:

Pro-Family Month

RECOMMENDED ACTION: Authorize issuance of the Proclamation.

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CONSENT AGENDA

7. Report of the Board of Bids and Contracts Dated January 3, 2000.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts and authorize the necessary signatures.

8. Application for Licenses for Adult Entertainment Establishments/Services.

Renewal – Erotic Dance Studio

Anthonio Johnson                      Tops and Bottoms                      4904 North Arkansas

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

9. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Carmen Lopez	Connie's Mexico Café*	2227 North Broadway
Mon Fee Wong	Golden Dragon Restaurant*	6100 East 21 <sup>st</sup> Street #180
Marvin E. Autry	The Cedars Saloon*	3906 East 13 <sup>th</sup> Street
Julie A. Hungate	L.W. Clapp Golf Specialist*	4611 East Harry
Ruben Acusta	Ruben & Anita's Tacos*	835 East First Street

(Consumption off Premises)

Lethanh T. Le	Le Enterprises LLC	1336 North Broadway
	dba Broadway Supermarket	
Jay A. Johnson	Johnson's General Stores, Inc. #06	1003 South Seneca

<u>New Operator</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Danny Vo	Lotus Garden Restaurant*	2135 West 21 <sup>st</sup> Street North

<u>New Establishment</u>	<u>2000</u>	<u>(Consumption off Premises)</u>
Rita J. McClanan	Crescent Oil Company, Inc.	3805 West 21 <sup>st</sup> Street North
	dba Jump Start #19	

\*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

10. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

11. Preliminary Estimates:

- a. Water distribution system to serve Maple Hill/ Second, Third, Fourth, and Fifth Additions - south of Maple, west of 135th Street West. (448-89376/734930/470600) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: June 8, 1999. (District V) - \$354,000.00
- b. Lateral 328, Southwest Interceptor Sewer to serve Wilderness at the Park Addition - south of Pawnee, east of Maize. (468-82353/743807/480495) Does not affect existing traffic. City Council approval date: June 8, 1999. (District V) - \$47,000.00
- c. Lateral 32, Main 9, Sanitary Sewer No. 23 to serve Frank & Johnny's Addition - north of 37th Street North, west of Rock Road. (468-81835/743816/480504) Does not affect existing traffic. City Council approval date: March 1, 1988. (District II) - \$52,952.00
- d. 119th Street West Bridge over Calfskin Creek - On 119th Street West between Maple & Kellogg. (472-82746/715676/249084) Closed to traffic during construction. City Council approval date: November 23, 1999. (District V) - \$1,140,000.00
- e. Water distribution system to serve Kell Hawkins Addition - at Doris, south of Central. (448-89391/734929/470599) City Council approval date: January 4, 2000. - \$1,275.00
- f. Water distribution system to serve Lot 3, Block 2, Kell Hawkins Addition - south of Central, east of Hoover. (448-89348/734928/470598) City Council approval date: January 4, 2000. - \$1,275.00
- g. Sidewalk, northeast corner of 12th and Coolidge - south of 13th Street North, west of Seneca. (472-83003/765321/490634) City Council approval date: January 4, 2000. - \$2,798.35
- h. Sidewalk on the west side of Vine, south of First Street. (472-82987/765198/490621) City Council approval date: January 4, 2000. - \$790.00
- i. Sidewalk on the east side of Pattie, north of Clark. (472-82985/765230/490625) City Council approval date: January 4, 2000. - \$700.00
- j. Sidewalk to serve Interfaith Ministries - north of Murdock, west of Broadway. (472-83036/765511/490653) City Council approval date: January 4, 2000. - \$9,506.00
- k. Sidewalk adjacent to odd lots 29-31, Broadway, to serve Mungers Original Town Addition - north of Murdock, west of Broadway. (472-82998/765271/490629) City Council approval date: January 4, 2000. - \$9,090.00
- l. Decel lane and left turn lane at 21st Street, Newmarket Square Addition - north of 21st Street North, west of Maize Road. (472-82927/764860/490588) City Council approval date: January 4, 2000. - \$70,000.00

RECOMMENDED ACTION: Approve and file.

12. Statement of Cost.

Second Partial Estimate of Cost - Lawrence Dumont Stadium Capital Repairs - \$725,000 (Less financing previously issued - \$700,000. Financing to be issued at this time - \$25,000. (792051/358-234)

RECOMMENDED ACTION: Approve and file.

13. Utility Easement:

Utility easement dated November 2, 1999, from Christian A. Ablah, Philip A. and Angie Bundy for a tract of land in Lot 1, Lawrence Development First Addition. (Private Project - OCA 607861) (No cost to City).

RECOMMENDED ACTION: Accept the document.

14. Petitions for Public Improvements:

- a. Water distribution system to serve Belriv Addition - north of Kellogg, west of 159th Street East. (District II)
- b. Water distribution system to serve Plaza Central Office Park - south of Central, east of Greenwich. (District II)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

15. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

16. Report on Claims Allowed – November, 1999:

<u>Name of Claimant</u>	<u>Amount</u>
Jean Burns (Hultman)	\$1,149.36*
Loretta Hervey-Shine	\$1,300.00*
John Chance	\$1,000.00*
Andrew Mullins	\$ 328.69
Kansas Gas Service	\$ 292.09*
Kansas Gas Service	\$ 411.45*
LeRene James	\$ 150.00
Betty Fields	\$ 200.00*

\*Settled for a lesser amount than originally claimed.

RECOMMENDED ACTION: Receive and file.

17. Agreements/Contracts:

- a. Design services - Northridge Lakes Addition - east of Tyler Road, south of 29th Street North. (District V)
- b. Design services - 66-inch raw water pipeline. (District VI)
- c. Design services - Arterials and Water Program. (Districts II, IV, and V)
- d. Construction engineering - 33rd Street North Bridge at west drain. (District VI)
- e. Supplemental design services - K-96 Bike Path, Oliver to Grove Park. (District I)

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the necessary signatures.

18. Cheney Watershed Staff Enhancement.

RECOMMENDED ACTION: Approve the Memorandum of Understanding and authorize the necessary signatures.

19. Property Acquisition.

- a. 458 Lexington - east Kellogg Improvement Project. (District II)
- b. Five tracts in the 14700 through 14900 blocks of West Kellogg and corridor management Agreement between the City and KDOT. (District V)

RECOMMENDED ACTION: Approve the budgets and Contracts; and authorize the necessary signatures.

20. Eaton Place Loans. (District VI)

RECOMMENDED ACTION: Reaffirm existing loan agreement.

21. Payment of Condemnation Award to Acquire Property in Connection with Maple Street Improvements - Maize Road to 119th Street West. (District V)

RECOMMENDED ACTION: Authorize payment to the Clerk of the District Court of the appraiser's award and related costs and fees.

22. Wichita Transit Grant Applications.

- a. Federal Transportation Administration (FTA) Grant.
- b. Kansas Department of Transportation (KDOT) Grant.

RECOMMENDED ACTION: Approve Grant applications and receipt of funds; adopt the Resolution; and authorize the necessary signatures.

23. Amending Ordinance: Central Avenue Improvement - I-235 to West Street. (Districts IV and V)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

24. Citizen Participation Organization Ordinance (Repealing Chapter 2.60).

RECOMMENDED ACTION: Approve first reading of the Ordinance.

25. IRB - Ordinance Authorizing Execution and Delivery of First Amendment to the Lease (Coleman Company, Inc.)

RECOMMENDED ACTION; Approve first reading of the Ordinance.

26. Second Reading Ordinances: (First read December 21, 1999)

- a. Tax Exemption - Rand Graphics, Inc. (District IV)

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Rand Graphics, Inc., so exempted.

- b. Z-3342 - north of Douglas and west of Glendale - 131 North Glendale. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. Z-3342

RECOMMENDED ACTION: Adopt the Ordinances.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\*27. V-2182 - Request to Vacate a Portion of a Building Setback Located North of 13th Street North and West of Caddy Lane. (District V)

Staff Recommendation: Approve vacation of a portion of a building setback.

MAPC Recommendation: Approve vacation of a portion of a building setback.

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

\*28. V-2205 - Request to Vacate a Portion of a Building Setback Located North of 37th Street North and West of Seneca - 4033 North Amidon. (District VI)

Staff Recommendation: Approve vacation of a portion of building setback.

MAPC Recommendation: Approve vacation of a portion of building setback.

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

\*29. V-2206 - Request to Vacate a Portion of Access Control Located North of 29th Street North and One-Fourth Mile East of Ridge Road. (District V)

Staff Recommendation: Approve vacation of portion of access control.

MAPC Recommendation: Approve vacation of portion of access control.

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

\*30. V-2208 - Request to Vacate Contingent Street Dedication Located at the Northwest Corner of 21st Street North and Maize Road. (District V)

Staff Recommendation: Approve vacation of contingent street dedication.

MAPC Recommendation: Approve vacation of contingent street dedication.



(Item 30 Continued)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

\*31. V-2209 - Request to Vacate Utility Easement Located Between Edwards Avenue and McLean Boulevard, South of 9th Street North. (District VI)

Staff Recommendation: Approve vacation of utility easement.

MAPC Recommendation: Approve vacation of utility easement.

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

\*32. V-2210 - Request to Vacate Access Control Located East Side of Hoover Between Harry and Kellogg - 1400 Block of South Hoover. (District V)

Staff Recommendation: Approve vacation of access control.

MAPC Recommendation: Approve vacation of access control.

RECOMMENDED ACTION: Approve the Vacation Order and Dedication; and authorize the necessary signatures.

\*33. S/D 99-68 - Plat of Maple Street Mini-Mall Addition Located on the North Side of Maple Street, East of West Street. (District IV)

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat and authorize the necessary signatures.

34. A 99-31 - Resolution Establishing a Future Public Hearing on the Annexation of Eligible Properties Generally Located South of 55th Street South, West of Seneca to East of Hillside. (Districts III and IV)

RECOMMENDED ACTION: Accept the Service Extension Plan; and adopt the Resolution establishing the public hearing for March 7, 2000, at 7:00 p.m. at the Machinists Union Hall, 3830 South Meridian.

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AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

35. Consulting Assistance - Wichita Airport.

RECOMMENDED ACTION: Approve the services and authorize the City Manager to identify appropriate budget for funding.

36. Schedule of Fees and Charges for use of Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Adopt the Resolution implementing a schedule of fees to be effective January 1, 2000.

37. Airline/Airport Use Agreement, Scheduled Air Carriers.

RECOMMENDED ACTION: Approve the Agreement and authorize the necessary signatures.

38. Sublease Agreement - International Flying Farmers and Air Capital Jet Sales.

RECOMMENDED ACTION: Approve the Sublease Agreement and authorize the necessary signatures.

39. Supplemental Agreement No. 2 (Harrison Armstrong) - Provision of Skycap Services.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the necessary signatures.

40. Supplemental Agreement No. 2 (Professional Insurance Management) - 2120 Airport Road.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the necessary signatures.

41. Supplemental Agreement No. 4 (Airparts Company, Inc.).

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the necessary signatures.

Adjournment

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